

MONROE COUNTY TOURIST DEVELOPMENT COUNCIL'S

OPERATIONS MANUAL

SECTION I

TOURIST DEVELOPMENT COUNCIL MEMBERS

Tourist Development Council Members
>> Continued

MONROE COUNTY **TOURIST DEVELOPMENT COUNCIL**

The Monroe County Tourist Development Council (MCTDC, TDC or the Council) is a public body, created by referendum of the electors. Monroe County is one of 42 Florida counties whose people elected to have a Tourist Development Council (TDC); a joining of private and public sector effort to assist in development of a tourism economy.

The MCTDC is an advisory board to the Board of County Commissioners (F.S. 125.0104(4e), which appoints its nine members. Six of the Council's nine members must represent the five TDC taxing districts and be actively engaged in tourism marketing through ownership or managerial operation of a tourism-dependent business. The Mayor of Monroe County, or his/her designee and two other elected municipal officials fill the remaining three seats to represent the interests of the public sector. (See Resolution No. 258-1993)(Section I, Page 4)

By statute, the MCTDC shall make recommendations to the county governing board for the effective operation of the special projects or for uses of the tourist development tax revenue and shall continuously review expenditures of revenues from the tourist development trust fund. Expenditures which the council believes to be unauthorized shall be reported to the county governing board and the Department of Revenue. All expenditures recommended by the MCTDC come from the levy of a tourism tax (three percent) on the cost of short-term lodging (six months or less). This tax is paid, almost entirely, by those who visit the county to vacation or do business, rather than by residents. All recommended expenditures must be approved by the Board of County Commissioners, first as acceptable budget items, and again, for payment by the County Finance Office after the expenditure is made, and an invoice(s) is submitted.

The composition, membership qualifications, responsibilities and duties of all TDC's are defined by Florida Statute 125.0104 (see Section VII, Pages 1 - 12). The MCTDC is further governed by Monroe County Ordinances 015-1988 and 017-1988 (see Section VII, Pages 15 - 30).

When a member of a local board, is required to abstain pursuant to s112.3143(3), F.S., the local board member is disqualified from voting and may not be counted for purposes of determining a quorum. (See pg. 47 of the 1994 Government-in-the-Sunshine Manual)

Resolution No. 258 - 1993

**A RESOLUTION PROVIDING PROCEDURE FOR THE SELECTION
OF TOURIST DEVELOPMENT COUNCIL MEMBERS**

WHEREAS, Florida Statute 125.0104(4)(e) provides that the Tourist Development Council shall be composed of nine (9) members who shall be appointed by the Board of County Commissioners, and

WHEREAS, Monroe County Code Section 2-299 provides that the Tourist Development Council members shall be appointed by the governing board of Monroe County, and

WHEREAS, Section 2-299 of the Monroe County Code further requires that in addition to the statutory requirements, the members of the Tourist Development Council represent each tax collection district of the five (5) tax collection districts in the County and further require that one (1) of the members of the Tourist Development Council be engaged in the accommodation industry within the City of Key West, and

WHEREAS, the above requirements are in addition to the statutory requirements contained in the Florida Statutes, and

WHEREAS, the Board has in the past acquiesced in the nominee selected by each of the Commissioners who reside in the particular tax districts, and

WHEREAS, this has in the past generated certain confusion as to who has the right to select, and

WHEREAS, it is clear from the language of both the ordinance above-referenced and the statute that the Monroe County Commission shall be the entity that has the power to appoint, and

WHEREAS, the Commission desires that a written policy be established with respect to the selection of Tourist Development Council members, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that three (3) of the officials are essentially selected by the statute in that one is the Chairman of the Board of County Commissioners and two (2) are representatives of municipalities located with the County, one (1) of which is the most populous municipality, these nominations shall be and remain the nominations of the Board of County Commissioners.

BE IT FURTHER RESOLVED that of the remaining six (6) nominations, one (1) nominee shall be selected by each of the several Commissioners and the Mayor shall have the right to select a second nominee in his capacity as Mayor. These six (6) nominations shall satisfy the statutory requirements with respect to occupation as well as the ordinance requirement with respect to geographic locale, and shall be the Board's appointees to the Tourist Development Council.

PASSED AND ADOPTED by the Board of Count Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 6th day of July, 1993.

Mayor London	<u>Yes</u>
Mayor Pro Tem Cheal	<u>Yes</u>
Commissioner Harvey	<u>Yes</u>
Commissioner Freeman	<u>Yes</u>
Commissioner Reich	<u>Yes</u>

Resolution No. 050-1996

AN ORDINANCE AMENDING SECTION 2-299-(B)(1), MONROE COUNTY CODE IN ORDER TO CONFORM TO RECENTLY AMENDED STATUTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:

Section 1. Section 2-299 (B)(1) shall be amended to read as follows:

The Monroe County Tourist development Council, following the expiration of terms of its members heretofore established and appointed, shall be composed of nine (9) members, Eight (8) members of the board shall be appointed by the governing board of Monroe County based on a percentage of the funds collected throughout the five (5) tax collection districts, as set forth in subsection (G) of this section. Each tax collection district shall have no less than one (1) representative, who is a resident of the district, on the council. The ninth member of the council shall be the chairman of the governing board of Monroe County or any other member of the governing board as designated by the chairman. Two (2) members of the council shall be elected municipal officials, at least one (1) of whom shall be from the most populous municipality in the county. ~~Three (3) members of the council shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county and subject to the tax, one (1) of whom shall be engaged in the accommodations industry within the City of Key West. Three (3) Six (6) members of the council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not of which members, not less than three (3) nor more than four (4) shall be~~ owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county or subject to the tax. All members of the council shall be electors of the county. The governing board of the county shall allow the council to elect a chairman. The chairman shall be elected annually and may be reelected.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provision of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 19th day of September, 1996.

Commissioner Douglass	<u>Yes</u>
Commissioner Harvey	<u>Yes</u>
Commissioner London	<u>Yes</u>
Commissioner Reich	<u>Yes</u>
Mayor Freeman	<u>Yes</u>

TDC BOARD MEMBERS

Mr. Matthew P. Babich, CHA, Chairperson 296-6577 (w)
Southernmost Hotel & Resorts 294-8272 (fax)

1319 Duval Street

Key West, FL. 33040

(Appointed by Commissioner Harvey on 10/19/00, replaces Capt. Bill Wickers, Term expires 8/2004)

Reappointed by Commissioner Spehar on 8/18/2004, term expires 9/2008)

Mr. Todd B. Firm 451-1177 (w)
Keys Diver, Inc. 451-6389 (Fax)

99696 Overseas Highway, Unit #1

Key Largo, FL 33037

(Appointed by Commissioner Nelson on 8/20/03, Term expires 8/2007)

Ms. June Helbling 743-5252 (w)
Marine Bank of the Florida Keys 289-0000 (fax)

11290 Overseas Highway

Marathon, FL 33050

(Appointed by George Neugent on 8/18/2004, replaces Mr. Russell Teall, Term expires 9/2004)

(Reappointed by Commissioner George Neugent on 08/18/2004, Term expires 9/2008)

Mr. Michael Ingram, Co-Treasurer 292-7722
Key Lime Inn 292-2162 (fax)

c/o M.B. Ingram Architect & Associates

604 Whitehead Street

Key West, FL 33040

(Appointed by District 3 on 8/16/94, Term expires 8/2006)

Mr. Robert Padron 296-3792
P.O. Box 921 295-9300 (fax)

(Key West by the Sea, 2601 So. Roosevelt Blvd.)

Key West, FL 33041-0921

(Re-Appointed by Mayor Freeman on 9/17/97, term expires 10/2005)

Commissioner Edwin Scales, III, Co-Treasurer 292-8950 (w)
201 Front Street, Suite 333 296-6629 (fax)

Key West, FL 33040

(Appointed by Mayor Nelson 12/03. Replaces Commissioner Turner – Term expires 12/2007)

Mr. Scott Simmons

Holiday Isle
84001 Overseas Highway
Islamorada, FL 33036

(Appointed by Commissioner Rice on 2/18/04, term expires 2/17/08)

664-2321 (w)
664-4330 (fax)

Mayor Dixie Spehar

500 Whitehead Street
Key West, FL 33040

292-3440 (w)
292-3466 (fax)

Ms. Christina Weinhofer, Vice Chairperson

Sea Boots Outfitters
29975 Overseas Highway
Big Pine Key, FL 33043

(Re-Appointed by Mayor Spehar on 8/20/03, term expires 8/2007)

872-9005 (w)
872-0780 (fax)

By statute, appointments are four-year terms, except for elected officials, whose terms may be limited by tenure in office and for those who are appointed to fulfill the unexpired term of a member whose seat becomes vacant.

TDC Administrative Office

Monroe County
Tourist Development Council
1201 White St., Suite 102
Key West, FL 33040-3328

(305) 296-1552

Mr. Harold Wheeler, Director
Ms. Lynda M. Stuart, Office Manager

District reference is to that of the BOCC and not the TDC